

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ThermoLife International LLC

v.

<https://ronkramermusclebeach.wordpress.com/>, et al.

Case No. 5:15-cv-01616-HRL

**PLAINTIFF'S OBJECTION TO APPLICATION OF PAUL ALAN LEVY TO BE
APPOINTED GUARDIAN *AD LITEM***

EXHIBIT 1

April 24, 2015 Email Correspondence between Paul Levy and Eric Hull

From: Paul Alan Levy <plevy@citizen.org>
Sent: Friday, April 24, 2015 12:43 PM
To: Eric Hull
Cc: Gregory Collins
Subject: RE: ThermoLife v "Domain Names"

You refuse to provide any specifics for reasons that you consider justified

Paul Alan Levy
Public Citizen Litigation Group
1600 20th Street, NW
Washington, D.C. 20009
(202) 588-7725
<http://www.citizen.org/Page.aspx?pid=396>
Twitter: @paulalanlevy
Public Citizen Foundation participates in the Combined Federal Campaign with the CFC Code 11168

From: Eric Hull [mailto:ebh@kflawaz.com]
Sent: Friday, April 24, 2015 3:42 PM
To: Paul Alan Levy
Cc: Gregory Collins
Subject: RE: ThermoLife v "Domain Names"

Mr. Levy,

I have not "refused" anything. I stated that I am not making a comment while your application in the case is pending. If you are appointed as counsel in the case, I will discuss it with you at that time in your capacity as counsel. Until that time, I have no comment.

Sincerely
Eric B. Hull
Kercsmar & Feltus PLLC
7150 E. Camelback Road, Suite 285
Scottsdale, Arizona 85251
480.421.1001 (main)
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From: Paul Alan Levy [<mailto:plevy@citizen.org>]
Sent: Friday, April 24, 2015 12:33 PM
To: Eric Hull
Cc: Gregory Collins
Subject: RE: ThermoLife v "Domain Names"

I recognize that the complaint alleges only an in rem cybersquatting claim, but it also contains allegations about "disparagement" and the allegedly false statements (grafs 30, 31, 32). I'll just say that you refused to provide any specifics about the claim of falsity.

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From: Eric Hull [<mailto:ebh@kflawaz.com>]
Sent: Friday, April 24, 2015 3:26 PM
To: Paul Alan Levy
Cc: Gregory Collins
Subject: RE: ThermoLife v "Domain Names"

Dear Mr. Levy,

Considering you have sought to be admitted as guardian ad litem in the case, I do not think it is appropriate for me to provide you with a comment for your article. Should the Court accept your application, I will be happy to discuss the case with you in detail in your capacity as counsel. Until the Court rules upon your request to be appointed counsel, I direct you to the publically available information, including the Complaint that lists only a single claim for cybersquatting under the Anticybersquatting Consumer Protection Act (ACPA), 15 U.S.C. § 1125(d).

Sincerely,
Eric B. Hull
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From: Paul Alan Levy [<mailto:plevy@citizen.org>]

Sent: Friday, April 24, 2015 11:34 AM

To: Eric Hull

Subject: ThermoLife v "Domain Names"

I am writing a piece about your lawsuit, and I have a question.

Obviously the web site makes some strong statements about Kramer, and I note that your complaint alleges that the site contains false and defamatory statements. If you care to identify the statements that are false, and point to evidence on the issue of falsity, I will certainly take that into consideration in writing my article.

Paul Alan Levy

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